

## Message Text

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PAGE 01 OECD P 23302 021926Z

47

ACTION SCI-06

INFO OCT-01 EUR-25 IO-14 ISO-00 CEQ-02 L-03 SSO-00 NSCE-00

INRE-00 AID-20 CIAE-00 COA-02 COME-00 DODE-00 EB-12

EPA-04 INR-11 NSF-04 NSC-07 NSAE-00 PM-07 RSC-01

SS-20 SP-03 FEAE-00 CEA-02 EA-11 FRB-03 NEA-14

OPIC-12 TRSE-00 CIEP-03 LAB-06 SIL-01 SWF-02 OMB-01

OIC-04 DRC-01 DLOS-07 /209 W  
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FM USMISSION OECD PARIS

TO SECSTATE WASH DC IMMEDIATE 3769

INFO USMISSION GENEVA

LIMITED OFFICIAL USE OECD PARIS 23302

FOR GENEVA: STILLMAN PASS TO BENGELSDORF

E.O. 11652:N/A

TAGS:SENV, OECD

SUBJECT: OECD MEETING OF ENVIRONMENT MINISTERS, NOV.13-  
14:DEVELOPING COUNTRIES CLAUSE

REF: STATE 209395

1. SUMMARY. TURKS CONTINUE TO PRESS FOR INCLUSION OF  
PHRASE IN DECLARATION AND/OR PRINCIPLES OF ENVIRONMENT  
MINISTERS' MEETING TO INDICATE THAT SPECIAL CIRCUMSTAN-  
CES APPLY TO DEVELOPING COUNTRIES. MISSION BELIEVES COM-  
PROMISE WORDING POSSIBLE THAT WILL MEET TURKISH NEEDS,  
AVOID RESERVATION ON THEIR PART, AND YET PROTECT  
SUBSTANCE OF MINISTERIAL DECLARATION AND RECOMMENDATIONS.  
ACTION REQUESTED: DEPARTMENT REACTION TO SUGGESTIONS  
BELOW BY OPENING OF BUSINESS FRIDAY OCTOBER 4. END  
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PAGE 02 OECD P 23302 021926Z

SUMMARY.

2. TURKS HAVE RAISED QUESTION IN CONNECTION WITH PREAMBLE OF DECLARATION, PARA 10 OF DECLARATION, AND PARA I-2 OF ANNEX IX (ON POLLUTER-PAYS PRINCIPLE). US POSITION (REFTEL) THAT SPECIAL CIRCUMSTANCES SHOULD BE MENTIONED ONLY IN LIMITED CONTEXT OF DECLARATION PARA 10 RECEIVED NO SUPPORT IN EXEC COMM OR COUNCIL DISCUSSIONS. COUNCIL AND EXEC COMM AGREED US, TURKEY AND SECRETARIAT SHOULD ATTEMPT TO WORK OUT COMPROMISE SOLUTION.

3. TURKISH DEL TELLS US THEIR AMENDMENTS ARE RESULT OF INTERNAL BUREAUCRATIC ENVIRONMENTAL CONCERNS UNRELATED WITH THE LAW OF THE SEA. IN RESPECT TO THE DRAFT DECLARATION ON ENVIRONMENTAL QUALITY, TURKS TELL US THEY COULD ACCEPT FOLLOWING PREAMBULAR WORDING: "CONSCIOUS OF THE SPECIAL CIRCUMSTANCES OF DEVELOPING COUNTRIES, INCLUDING THOSE WHICH ARE MEMBERS OF THE ORGANIZATION, AND AWARE OF EXISTING AGREEMENTS AND THOSE UNDER NEGOTIATION." THIS WOULD APPEAR TO RECOGNIZE DEVELOPING COUNTRIES WITHOUT COMPROMISING U.S. STANCE IN COMMITTEE III OF LOS CONFERENCE.

4. IN RESPECT TO THE POLLUTER PAYS PRINCIPLE (C(74)15, ANNEX IX), TURKISH DELEGATION DID NOT ACCEPT OUR VIEW THAT SPECIAL NEEDS OF DEVELOPING COUNTRIES WERE ALREADY ADEQUATELY RECOGNIZED IN INTRODUCTION TO 1972 GUIDING PRINCIPLES. THE TURKISH DELEGATION FELT QUITE CONFIDENT, HOWEVER, THAT THEIR AUTHORITIES WOULD ACCEPT REITERATION OF GUIDING PRINCIPLES PHRASE IN SECTION I-2 AS FOLLOWS: "THE POLLUTER PAYS PRINCIPLE AS DEFINED BY THE GUIDING PRINCIPLES CONCERNING THE INTERNATIONAL ECONOMIC ASPECTS OF ENVIRONMENTAL POLICIES (C(72)128), WHICH RECOGNIZES POSSIBLE PROBLEMS RELATING TO DEVELOPING COUNTRIES, MEANS..."

6. MISSION BELIEVES TURKS WILL CONTINUE TO INSIST ON SOME RECOGNITION OF SPECIAL CIRCUMSTANCES OF LDCS. HOWEVER, WE BELIEVE THEY WILL IN FINAL ANALYSIS ACCEPT SOMEWHAT QUALIFIED PHRASE IN PREAMBLE TO LIMITED OFFICIAL USE

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PAGE 03 OECD P 23302 021926Z

DECLARATION WITHOUT INSISTING ON PHRASE IN PARA 10 OF DECLARATION AND POSSIBLY NOT IN ANNEX IX. MISSION URGENTLY REQUESTS INSTRUCTIONS IN TIME TO RESOLVE PROBLEM BEFORE EXEC COMM MEETING FRIDAY OCTOBER 4. KATZ

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## Message Attributes

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